



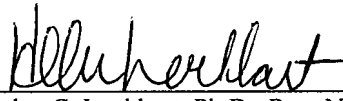
DOCKET NO. C1039.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
Issue Date: November 25, 2003
Patentee: Arthur M. Krieg, et al.
Serial No: 09/337,619
Confirmation No: 9215
Filing Date: June 21, 1999
For: METHOD OF TREATING CANCER USING
IMMUNOSTIMULATORY OLIGONUCLEOTIDES

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1st day of March, 2006.


Helen C. Lockhart, Ph.D., Reg. No. : 39,248

MAIL STOP PETITIONS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JUN 20 2006

TECH CENTER 1600/2900

Sir:

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR §1.324

In accordance with 37 C.F.R. §1.324, Applicants hereby petition to correct inventorship of the above-identified issued patent. Through error and without deceptive intent, Dr. Alfred D. Steinberg and Dr. Dennis Klinman were not named as inventors in the application.

Accordingly, it is requested that Dr. Alfred D. Steinberg and Dr. Dennis Klinman be added as inventors in the above application.

Attached to this Petition are the following as required by 37 CFR §1.324 (a):

- A verified statement from each of Drs. Alfred D. Steinberg and Dennis Klinman, stating that the error in inventorship occurred without deceptive intention on his part;
- A verified statement from each of Drs. Arthur M. Krieg and George Weiner, stating that they have no disagreement in regard to the requested change;

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- A verified statement signed by an official of the Assignee, The University of Iowa Research Foundation, to whom the originally named inventors, Dr. Arthur M. Krieg and Dr. George Weiner, assigned all of their rights, agreeing to the change of inventorship in the patent.

Should any questions remain regarding this petition, it is requested that the Examiner contact Applicants' representative, as signed below.

Respectfully submitted,
Arthur M. Krieg et al., Patentee

By:



Helen C. Lockhart, Ph.D., Reg. No.: 39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: C1039.70021US00

Date: March 1, 2006

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DOCKET NO. C1039.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
Issue Date: November 25, 2003
Patentee: Arthur M. Krieg, et al.
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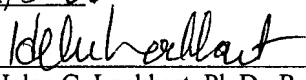
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JUN 20 2006

TECH CENTER 1800/2000

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15th day of March, 2006


Helen C. Lockhart, Ph.D., Reg. No. : 39,248

MAIL STOP PETITIONS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RECEIVED

MAR 09 2006

OFFICE OF PETITIONS

Verified Statement of by The University of Iowa Research Foundation

Statement in Support of Correction of Inventorship Under 37 CFR §1.324

1. I, Brenda L. Akins am an official of the University of Iowa Research Foundation and have authority to act and sign on behalf of the University of Iowa Research Foundation.

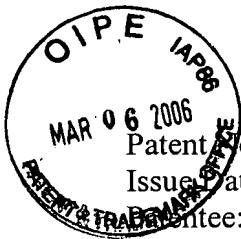
2. The University of Iowa Research Foundation is the sole and exclusive assignee of the rights of Arthur M. Krieg and George Weiner in the above-identified patent application, and as such is the sole owner of this patent application at this time. Assignments evidencing this ownership have been recorded with the United States Patent and Trademark Office on September 8, 1999, reel and frame 010219/0523 and July 27, 2000, reel and frame 011011/0785 (copies enclosed)

3. I hereby verify that the University of Iowa Research Foundation agrees with the petition to amend inventorship attached hereto. Inventorship was named improperly when the above-identified patent application was filed, but this error was a mistake, and involved no deceptive intent on the part of the University of Iowa Research Foundation.

4. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent issued thereon.

Date: February 28, 2006

Signature: Brenda L. Akins
Brenda L. Akins
Associate Director, UIRF



DOCKET NO. C1039.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
Issue Date: November 25, 2003
Applicant: Arthur M. Krieg, et al.
Serial No: 09/337,619
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For: METHOD OF TREATING CANCER USING
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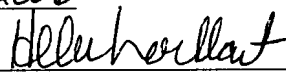
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JUN 20 2006

TECH CENTER 1800/2000

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1st day of March 2006


Helen C. Lockhart, Ph.D., Reg. No. : 39,248

MAIL STOP PETITIONS
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAR 09 2006

OFFICE OF PETITIONS

Sir:

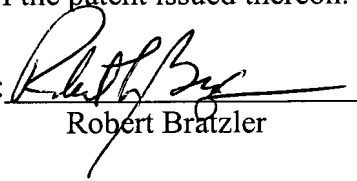
Verified Statement of by Coley Pharmaceutical Group, Inc.

Statement in Support of Correction of Inventorship Under 37 CFR §1.324

1. I, Robert Bratzler, am President and CEO of Coley Pharmaceutical Group, Inc., and have authority to act and sign on behalf of Coley Pharmaceutical Group, Inc.
2. Coley Pharmaceutical Group, Inc. is the sole and exclusive assignee of the rights of Alfred Steinberg in the above-identified patent, and as such is a co-owner of this patent. An assignment evidencing this ownership is enclosed herewith.
3. I hereby verify that Coley Pharmaceutical Group, Inc. agrees with the petition to amend inventorship attached hereto. Inventorship was named improperly when the above-identified patent application was filed, but this error was a mistake, and involved no deceptive intent on the part of Coley Pharmaceutical Group, Inc.

4. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent issued thereon.

Date: 3 Feb 2006

Signature: 

Robert Bratzler



DOCKET NO. C1039.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
Issue Date: November 25, 2003
Patentee: Arthur M. Krieg, et al.
Serial No: 09/337,619
Confirmation No: 9215
Filing Date: June 21, 1999
For: METHOD OF TREATING CANCER USING
IMMUNOSTIMULATORY OLIGONUCLEOTIDES

RECEIVED

JUN 20 2006

TECH CENTER 1000/2000

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1st day of March 2006

MAIL STOP PETITIONS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Verified Statement of by The United States of America as Represented by the Secretary,
Department of Health and Human Services in Support of Correction of Inventorship

Under 37 CFR §1.324

1. ^{Mistake}
I, Samuel H. H. H., am an official of the UNITED STATES OF AMERICA, as represented by the Secretary, Department of Health and Human Services (referred to herein as the Government) and have authority to act and sign on behalf of the Government.

2. The Government is the sole and exclusive assignee of the rights of Dennis Klinman in the above-identified patent, and as such is a co-owner of this patent. Assignments evidencing this ownership are enclosed.

3. I hereby verify that the Government agrees with the petition to amend inventorship attached hereto. Inventorship was named improperly when the above-identified patent application was filed, but this error was a mistake, and involved no deceptive intent on the part of the Government.

4. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent issued thereon.

Date: 28 Feb 2006

Signature: 



HCL
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

FEBRUARY 28, 2006

WOLF, GREENFIELD & SACKS, P.C.
HELEN C. LOCKHART
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210

PTAS

	Initials
File Folder	<input type="checkbox"/>
ECB	<input checked="" type="checkbox"/>
Docket Entry	<input checked="" type="checkbox"/>
Docket Cross Off	<input checked="" type="checkbox"/>
Order Copies	<input type="checkbox"/>
Annuities	<input type="checkbox"/>
Confirmation	<input type="checkbox"/>

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DOCKETED
MAR 09 2001

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/01/2000

REEL/FRAME: 011345/0669
NUMBER OF PAGES: 4

RECEIVED

JUN 20 2006

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CPG IMMUNOPHARMACEUTICALS, INC.

DOC DATE: 01/13/2000

TECH CENTER 1600/2900

ASSIGNEE:

COLEY PHARMACEUTICAL GROUP, INC.
20 WILLIAM STREET, STE. 115
WELLESLEY, MASSACHUSETTS 02481,

SERIAL NUMBER: 08960774
PATENT NUMBER:

FILING DATE: 10/30/1997
ISSUE DATE:

SEDLEY PYNE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

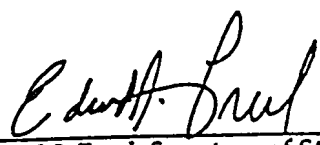
Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "COLEY PHARMACEUTICAL GROUP, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-FIRST DAY OF JANUARY, A.D. 2000.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.




Edward J. Freel, Secretary of State

2729259 8300

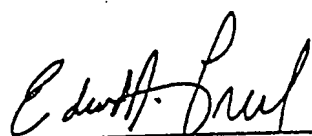
AUTHENTICATION: 0211842

001033709

DATE: 01-21-00

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "CPG IMMUNOPHARMACEUTICALS, INC.", CHANGING ITS NAME FROM "CPG IMMUNOPHARMACEUTICALS, INC." TO "COLEY PHARMACEUTICAL GROUP, INC.", FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF JANUARY, A.D. 2000, AT 9 O'CLOCK A.M.




Edward J. Freel, Secretary of State

2729259 8100

001032990

AUTHENTICATION: 0211581

DATE: 01-21-00

CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
CPG IMMUNOPHARMACEUTICALS, INC.
PURSUANT TO SECTION 242

It is hereby certified that:


1. The name of the corporation (hereinafter called the "Corporation") is CpG ImmunoPharmaceuticals, Inc.

2. The Certificate of Incorporation of the Corporation as amended to date is hereby amended by striking out Article FIRST in its entirety and by substituting in lieu thereof the following:

"FIRST: The name of the corporation is Coley Pharmaceutical Group, Inc. (hereinafter sometimes referred to as the "Corporation")."

3. The amendment of the Certificate of Incorporation, as amended, herein certified has been duly adopted and written consent has been given in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

Signed this 3rd day of January, 2000.


Robert L. Bratzler
President

State of Delaware
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "CPG IMMUNOPHARMACEUTICALS, INC.", FILED IN THIS OFFICE ON THE SEVENTEENTH DAY OF MARCH, A.D. 1997, AT 9 O'CLOCK A.M. ✓

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.



Edward J. Freel

Edward J. Freel, Secretary of State

AUTHENTICATION:

CERTIFICATE OF INCORPORATION
OF
CpG IMMUNOPHARMACEUTICALS, INC.

The undersigned, a natural person, for the purpose of organizing a corporation for conducting the business and promoting the purposes hereinafter stated, under the provisions and subject to the requirements of the laws of the State of Delaware (particularly Chapter 1, Title 8 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified and referred to as the "General Corporation Law of the State of Delaware"), hereby certifies that:

FIRST: The name of the Corporation is CPG IMMUNOPHARMACEUTICALS, INC. (hereinafter sometimes referred to as the "Corporation").

SECOND: The address of the registered office of the Corporation in the State of Delaware is 1013 Centre Road, in the City of Wilmington, County of New Castle. The name of the registered agent at the address is The Prentice-Hall Corporation System, Inc.

THIRD: The purpose of the Corporation is to engage in any lawful act or activity for which a Corporation may be organized under the General Corporation Law of the State of Delaware.

FOURTH: The total number of shares of stock which the Corporation shall have authority to issue is forty thousand (40,000) shares, of which stock twenty thousand (20,000) shares, par value of one cent (\$0.01) each, shall be Preferred Stock (the "Preferred Stock") and of which stock twenty thousand (20,000) shares, par value of one cent (\$0.01) each, shall be Common Stock (the "Common Stock").

The Preferred Stock authorized by this Certificate of Incorporation shall be issued in series. The first such series shall be designated Series A Convertible Preferred Stock ("Series A Preferred Stock") and shall consist of three thousand five hundred (3,500) shares.

Except for the Series A Preferred Stock, and except as limited by Article FOURTH, Section 6 hereof, the Board of Directors is authorized at any time, and from time to time, to provide for the issuance of shares of Preferred Stock in one or more series, and to determine the designations, preferences, limitations and relative or other rights of the Preferred Stock or any series thereof. For each series other than the Series A Preferred Stock, and except as limited by Article FOURTH, Section 6 hereof, the Board of Directors shall determine, by resolution or resolutions adopted prior to the issuance of any shares thereof, the designations, preferences, limitations and relative or other rights thereof, including but not limited to the following relative rights and preferences, as to which there may be variations among different series:

- (a) The rate and manner of payment of dividends, if any;
- (b) Whether shares may be redeemed and, if so, the redemption price and the terms and conditions of redemption;
- (c) The amount payable for shares in the event of liquidation, dissolution or other winding up of the Corporation;
- (d) Sinking fund provisions, if any, for the redemption or purchase of shares;

and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director, officer, employee, or agent and shall inure to the benefit of the heirs, executors and administrators of such a person.

ELEVENTH: Whenever a compromise or arrangement is proposed between this Corporation and its creditors or any class of them and/or between this Corporation and its stockholders or any class of them, any court of equitable jurisdiction within the State of Delaware may, on the application in a summary way of this Corporation or of any creditor or stockholder thereof or on the application of any receiver or receivers appointed for this Corporation under the provisions of Section 291 of the General Corporation Law of the State of Delaware or on the application of trustees in dissolution or of any receiver or receivers appointed for this Corporation under the provisions of Section 279 of the General Corporation Law of the State of Delaware, order a meeting of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this Corporation, as the case may be, to be summoned in such manner as the said court directs. If a majority in number representing three-fourths (3/4) in value of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this Corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this Corporation as consequence of such compromise or arrangement, such compromise or arrangement and such reorganization shall, if sanctioned by the court to which such application has been made, be binding on all the creditors or class of creditors, and/or on all the stockholders or class of stockholders, of this Corporation, as the case may be, and also on this Corporation.

TWELFTH: The votes of two-thirds (2/3%) of all of the outstanding shares of the capital stock of the Corporation entitled to vote are required to repeal or amend the provisions of this Certificate of Incorporation relating to:

A. the authority of the Board of Directors and the Stockholders to amend the by-laws of the Corporation; and

B. the elimination of directors' personal liability for monetary damages arising from their negligence and gross negligence.

I, the undersigned, being the sole incorporator, for the purpose of forming a Corporation under the laws of the State of Delaware, do make, file and record this Certificate of Incorporation, to certify that the facts herein stated are true, and accordingly have hereto set my hand this 17 day of March, 1997. ✓

Anne T. Leland
Anne T. Leland



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

HK

NOVEMBER 13, 2000

WOLF, GREENFIELD & SACKS, P.C.
HELEN C. LOCKHART
600 ATLANTIC AVENUE
FEDERAL RESERVE PLAZA
BOSTON, MA 02210

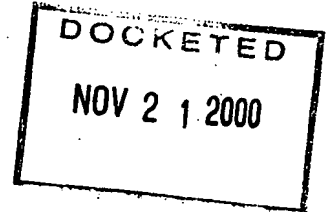
PTAS

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ECB	<input type="checkbox"/>
Docket Entry	<input checked="" type="checkbox"/>
Docket Cross Off	<input type="checkbox"/>
Order Copies	<input type="checkbox"/>
Annuities	<input type="checkbox"/>
Confirmation	<input type="checkbox"/>

Initials



101505530A



UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 09/11/2000

REEL/FRAME: 011092/0509
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STEINBERG, ALFRED D.

DOC DATE: 10/30/1998

ASSIGNEE:

CPG IMMUNOPHARMACEUTICALS, INC.
55 WILLIAM STREET, SUITE 120
WELLESLEY, MASSACHUSETTS 02481

SERIAL NUMBER: 08960774
PATENT NUMBER:

FILING DATE: 10/30/1997
ISSUE DATE:

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

CpG ImmunoPharmaceuticals, Inc.
55 William Street, Suite 120
Wellesley, Massachusetts 02481
Phone 781-431-6400
Fax 781-431-6403



cpg immunoPharmaceuticals, Inc.

October 30, 1998

Alfred D. Steinberg, M.D.
8814 Bells Mill Rd
Pctomac, MD 20854

PERSONAL AND CONFIDENTIAL

VIA OVERNIGHT COURIER

Dear Dr. Steinberg:

This is to confirm in writing the understanding reached by the Company and you under which you will serve as a consultant to the Company.

The Company hereby retains you to render such consulting, advisory and related services to the Company in the field of vaccine adjuvants, cancer vaccines and immunomodulation as the Company may reasonably request from time to time. You hereby accept such engagement subject to the terms and conditions set forth herein.

You hereby agree that if you are determined to be an inventor of U.S. patent application Serial No. 08/276,358, entitled "Immunomodulatory Oligonucleotides," you do hereby assign all right, title and interest you may have in such patent application and all related patent applications and patents (including any continuations, continuations-in-part, divisions, extensions, renewals, reissues, revivals, re-examinations and foreign counterparts) to CpG ImmunoPharmaceuticals, Inc. To the best of your knowledge and belief, you are free to assign such ownership interest to CpG without the consent of any third party.

In consideration for the above assignment and your consulting services, you shall receive the option to purchase 50 shares of the Company's Common Stock at a purchase price of \$206.70 per share, with such option to purchase all 50 shares vesting immediately upon execution of this Letter Agreement, and pursuant to the terms of a Non-Qualified Stock Option Agreement to be entered into between the parties hereto. In addition, you shall be paid \$34,335.00 upon the Company's receipt of an executed copy of this Agreement.

This Agreement may be terminated by you for any reason by giving the Company 30 days written notice. In the event that you so terminate this Agreement, you shall be entitled to all valid, non-reimbursed personal expenses incurred by you in connection with performance of your consulting services. The Company may terminate this Agreement only with your written, mutual consent. Regardless of which party terminates this Agreement, the assignment mentioned above shall remain in force, and you shall have 3 months in which to exercise your right to purchase the balance, if any, of the 50 shares of stock not previously purchased.

Please acknowledge your agreement with the foregoing by signing below, keeping one original copy, and returning the other original in the enclosed overnight courier envelope to me for our files. Thanks.

Very truly yours,

Robert L. Bratzler, Ph.D.
President and Chief Executive Officer

Agreed to and Acknowledged by:

Alfred D. Steinberg, M.D.

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned, George Weiner, residing at 235 Kennedy Parkway, Iowa City, IA 52246, hereby

Sell, assign and transfer to the University of Iowa Research Foundation, a corporation of Iowa having a place of business at 214 Technology Innovation Center, Oakdale Research Campus, Iowa City, Iowa, 52242, its successors, assigns and legal representatives, all hereinafter referred to as the Assignee, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed on June 21, 1999, assigned serial no. 09/337,619 and entitled **METHODS OF TREATING CANCER USING IMMUNOSTIMULATORY OLIGONUCLEOTIDES**, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said Assignee may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said Assignee, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said Assignee all facts known to me relating to said inventions and the history thereof, and generally by doing everything possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said Assignee.

Hereby request the Commissioner for Patents to issue said Letters Patent to said Assignee.

Covenant with said Assignee that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me, and that full right to convey the same as herein expressed is possessed by me.

7-3-00
Date

George Weiner
George Weiner

STATE OF Iowa :
COUNTY OF Jackson :

Subscribed and sworn to before me this 3rd day of July, 2000.

SEAL

Notary Public

My Commission Expires 7-16-02

Grady L. Jack

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned, Arthur M. Krieg, hereby

Sell, assign and transfer to the University of Iowa Research Foundation, a corporation of Iowa having a place of business at 214 Technology Innovation Center, Oakdale Research Campus, Iowa City, Iowa, 52242, its successors, assigns and legal representatives, all hereinafter referred to as the Assignee, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed on June 21, 1999, assigned serial no. 09/337,619 and entitled **METHODS OF TREATING CANCER USING IMMUNOSTIMULATORY OLIGONUCLEOTIDES**, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said Assignee may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said Assignee, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said Assignee all facts known to me relating to said inventions and the history thereof, and generally by doing everything possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said Assignee.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee.

Covenant with said Assignee that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me, and that full right to convey the same as herein expressed is possessed by me.

8/6/99
Date

Arthur M. Krieg
Arthur M. Krieg

STATE OF <u>Massachusetts</u> :
COUNTY OF <u>Suffolk</u> :
Subscribed and sworn to before me this <u>6th</u> day of <u>August</u> 1999.
SEAL
<u>Marianne Flynn</u> Notary Public
My Commission Expires _____

MARIANNE FLYNN
NOTARY PUBLIC
My Commission Expires April 16, 2004



DOCKET NO. C1039.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
Issue Date: November 25, 2003
Patentee: Arthur M. Krieg, et al.
Serial No: 09/337,619
Confirmation No: 9215
Filing Date: June 21, 1999
For: METHOD OF TREATING CANCER USING
IMMUNOSTIMULATORY OLIGONUCLEOTIDES

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JUN 20 2006

TECH CENTER 1600/2006

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1st day of March 2006

Helen C. Lockhart
Helen C. Lockhart, Ph.D., Reg. No. : 39,248

MAIL STOP PETITIONS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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MAR 09 2006

OFFICE OF PETITIONS

Verified Statement of Dr. Alfred D. Steinberg

I, Alfred D. Steinberg, state the following:

1. There was an error in not naming myself as an inventor to the above-identified patent application and this error occurred without any deceptive intention on my part.
2. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent issued thereon.

Date: 2-15-06

Signature: Alfred D. Steinberg

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
 Issue Date: November 25, 2003
 Patentee: Arthur M. Krieg, et al.
 Serial No: 09/337,619
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Helen C. Lockhart
 Helen C. Lockhart, Ph.D., Reg. No. : 39,248

MAIL STOP PETITIONS

Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

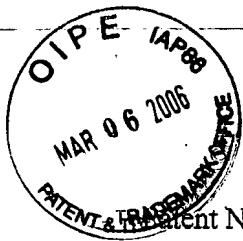
Verified Statement of Dr. Arthur M. Krieg

I, Arthur M. Krieg, state the following:

1. I am an inventor of the above-identified issued patent and I make this declaration that I have no disagreement in regard to the requested change of inventorship.
2. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent issued thereon.

Date: 2 Feb, 2006

Signature: Arthur M. Krieg
 Arthur M. Krieg



DOCKET NO. C1039.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
Issue Date: November 25, 2003
Patentee: Arthur M. Krieg, et al.
Serial No: 09/337,619
Confirmation No: 9215
Filing Date: June 21, 1999
For: METHOD OF TREATING CANCER USING
IMMUNOSTIMULATORY OLIGONUCLEOTIDES

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1st day of March 2006

Helen C. Lockhart
Helen C. Lockhart, Ph.D., Reg. No. : 39,248

MAIL STOP PETITIONS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Verified Statement of Dr. George Weiner

I, George Weiner, state the following:

1. I am an inventor of the above-identified issued patent and I make this declaration that I have no disagreement in regard to the requested change of inventorship.
2. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent issued thereon.

Date:

2/28/06

Signature:

George Weiner
George Weiner

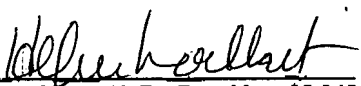
DOCKET NO. C1039.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,653,292 B1
Issue Date: November 25, 2003
Patentee: Arthur M. Krieg, et al.
Serial No: 09/337,619
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Filing Date: June 21, 1999
For: METHOD OF TREATING CANCER USING
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1st day of March 2006


Helen C. Lockhart, Ph.D., Reg. No. : 39,248

MAIL STOP PETITIONS
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

Sir:

Verified Statement of Dr. Dennis Klinman

I, Dennis Klinman, state the following:

1. There was an error in not naming myself as an inventor to the above-identified patent application and this error occurred without any deceptive intention on my part.
2. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent issued thereon.

Date: 2/28/06Signature: 

Dennis Klinman



DOCKET NO.: C1039.70021US00

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe the named inventor(s) to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS OF TREATING CANCER USING IMMUNOSTIMULATORY
OLIGONUCLEOTIDES**

the specification of which:

☐ is attached hereto;

☒ was filed on June 21, 1999, as United States Application No. 09/337,619, Confirmation No. 9215, bearing Docket No. C1039.70021US00, now issued U.S. Patent 6,653,292B1.

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or 35 U.S.C. §365(c) of any PCT International application(s) designating the United States of America listed below. I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

U.S. Non-Provisional Application(s)

08/960,774 (Application No.)	10/30/97 (filing date)	Patented (status-patented, pending, abandoned)
08/738,652 (Application No.)	10/30/96 (filing date)	Patented (status-patented, pending, abandoned)
08/386,063 (Application No.)	02/07/95 (filing date)	Patented (status-patented, pending, abandoned)
08/276,358 (Application No.)	07/15/94 (filing date)	Abandoned (status-patented, pending, abandoned)

☒ Direct all correspondence to the address
associated with Wolf, Greenfield & Sacks, P.C.'s **23628**
Customer Number

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Serial No. : C1039,70021US00
Declaration for Patent Application

Page 2

Address all telephone calls to Helen C. Lockhart, Ph.D. at telephone no. (617) 646-8000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

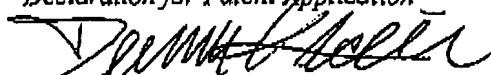
Inventor's signature	Date
Full name of first or joint inventor:	Arthur M. Krieg
Citizenship:	United States
Residence:	173 Winding River Road, Wellesley, MA 02482
Mailing Address:	173 Winding River Road, Wellesley, MA 02482

Inventor's signature	Date
Full name of second joint inventor:	George Weiner
Citizenship:	United States
Residence:	235 Kennedy Parkway, Iowa City, IA 52246
Mailing Address:	235 Kennedy Parkway, Iowa City, IA 52246

Inventor's signature	Date
Full name of third joint inventor:	Alfred D. Steinberg
Citizenship:	United States
Residence:	8814 Bells Mill Road, Potomac, MD 20854
Mailing Address:	8814 Bells Mill Road, Potomac, MD 20854

Serial No. : C1039.70021US00
Declaration for Patent Application

Page 3



2/28/06

Inventor's signature

Date

Full name of fourth joint inventor: Dennis Klinman
Citizenship: United States
Residence: 2 Candelight Court, Potomac, MD
20854
Mailing Address: 2 Candelight Court, Potomac, MD
20854



Attorney Docket No. C1039/7021

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DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS OF TREATING CANCER USING IMMUNOSTIMULATORY OLIGONUCLEOTIDES

the specification of which is attached hereto unless the following is checked:

☒ was filed on June 21, 1999, as Application No 09/337,619, bearing attorney docket No. C1039/7021, and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign PCT International Application(s) and any priority claims under 35 U.S.C. §§119 and 365(a),(b):

			Priority Claimed	
			<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country-if PCT, so indicate)	(DD/MM/YY Filed)	YES	NO
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country-if PCT, so indicate)	(DD/MM/YY Filed)	YES	NO
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country-if PCT, so indicate)	(DD/MM/YY Filed)	YES	NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Number)	(filing date)
_____	_____
(Application Number)	(filing date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT

Docket No.: C1039/7021 (HCL/MAT)

International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

08/960,774	10/30/97	pending
(Application No.)	(filing date)	(status-patented, pending, abandoned)
(Application No.)	(filing date)	(status-patented, pending, abandoned)

PCT International Applications designating the United States:

(PCT Appl. No.)	(U.S. Ser. No.)	(PCT filing date)
(status-patented, pending, abandoned)		

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Robert M. Abrahamsen	40,886	Jason M. Honeyman	31,624	Stanley Sacks	19,900
John N. Anastasi	37,765	Robert E. Hunt	39,231	Christopher S. Schultz	37,929
Gary S. Engelson	35,128	Ronald J. Kransdorf	20,004	Alan B. Sherr	42,147
Neil P. Ferraro	39,188	Peter C. Lando	34,654	Robert A. Skrivaneck, Jr.	41,316
Thomas G. Field	45,596	Helen C. Lockhart	39,248	Paul D. Sorkin	39,039
Stephen R. Finch	42,534	Matthew B. Lowrie	38,228	Alan W. Steele	45,128
Edward R. Gates	31,616	William R. McClellan	29,409	Mark Steinberg	40,828
Richard F. Giunta	36,149	Daniel P. McLoughlin	46,066	Joseph Teja, Jr.	45,157
Peter J. Gordon	35,164	James H. Morris	34,681	John R. Van Amsterdam	40,212
John C. Gorecki	38,471	M. Lawrence Oliverio	30,915	Michael G. Verga	39,410
William G. Gosz	27,787	Timothy J. Oyer	36,628	Robert H. Walat	46,324
Lawrence M. Green	29,384	Edward F. Perlman	28,105	Lisa E. Winsor	44,405
George L. Greenfield	17,756	Michael J. Pomianek	46,190	David Wolf	17,528
James M. Hanifin, Jr.	39,213	Elizabeth R. Plumer	36,637	Douglas R. Wolf	36,971
Therese A. Hendricks	30,389	Randy J. Pritzker	35,986	Ivan D. Zitkovsky	37,482
Steven J. Henry	27,900	Robert E. Rigby, Jr.	36,904	Edward J. Russavage	43,069

Address all telephone calls to Helen C. Lockhart at telephone no. (617) 720-3500. Address all correspondence to:
Helen C. Lockhart
c/o Wolf, Greenfield & Sacks, P.C.,
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210-2211

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature

Full name of first or joint inventor:

Citizenship:

Residence:

Post Office Address:

Arthur M. Krieg

US

890 Park Place, Iowa City, IA

52246

same as above

Date

Inventor's signature

Full name of second joint inventor:

Citizenship:

Residence:

Post Office Address:

George Weiner

US

235 Kennedy Parkway

Iowa City, IA 52246

same as above

Date

7-1-00



DOCKET NO.: C1039.70021US00

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe the named inventor(s) to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS OF TREATING CANCER USING IMMUNOSTIMULATORY OLIGONUCLEOTIDES

the specification of which:

☐ is attached hereto;

☒ was filed on June 21, 1999, as United States Application No. 09/337,619, Confirmation No. 9215, bearing Docket No. C1039.70021US00, now issued U.S. Patent 6,653,292B1.

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I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or 35 U.S.C. §365(c) of any PCT International application(s) designating the United States of America listed below. I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

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<u>08/960,774</u> (Application No.)	<u>10/30/97</u> (filing date)	<u>Patented</u> (status-patented, pending, abandoned)
<u>08/738,652</u> (Application No.)	<u>10/30/96</u> (filing date)	<u>Patented</u> (status-patented, pending, abandoned)
<u>08/386,063</u> (Application No.)	<u>02/07/95</u> (filing date)	<u>Patented</u> (status-patented, pending, abandoned)
<u>08/276,358</u> (Application No.)	<u>07/15/94</u> (filing date)	<u>Abandoned</u> (status-patented, pending, abandoned)

☒ Direct all correspondence to the address
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Customer Number

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature	Date
Full name of first or joint inventor: Arthur M. Krieg	
Citizenship: United States	
Residence: 173 Winding River Road, Wellesley, MA 02482	
Mailing Address: 173 Winding River Road, Wellesley, MA 02482	

Inventor's signature	Date
Full name of second joint inventor: George Weiner	
Citizenship: United States	
Residence: 235 Kennedy Parkway, Iowa City, IA 52246	
Mailing Address: 235 Kennedy Parkway, Iowa City, IA 52246	

Appl 1 *Sty* *2-15-06*

Inventor's signature	Date
Full name of third joint inventor: Alfred D. Steinberg	
Citizenship: United States	
Residence: 8814 Bells Mill Road, Potomac, MD 20854	
Mailing Address: 8814 Bells Mill Road, Potomac, MD 20854	

Inventor's signature	Date
Full name of fourth joint inventor: Dennis Klinman	
Citizenship: United States	
Residence: 2 Candelight Court, Potomac, MD 20854	
Mailing Address: 2 Candelight Court, Potomac, MD 20854	